# ORIGINAL

#### Before the

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# Federal Communications Commission

APR 1 0 1991

Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In re Application(s) of:	)
HE'S ALIVE, INCORPORATED for a New Noncommercial, Educational Broadcast Station at Murrysville, PA	) FCC File No. ) BPED- 900606MC
To: The Chief, Audio Services Division	

# PETITION TO DISMISS OR DENY 4PR 1 1 1991

CARNEGIE-MELLON STUDENT GOVERNMENT CORPORATION ("CMSGC"), by Counsel, and pursuant to Section 73.3584(a) of the Rules, hereby Petitions the Chief, Audio Services Division of the Mass Media Bureau to Dismiss or Deny the above-captioned Application of He's Alive, Incorporated ("HAI") for a Permit to construct a new Noncommercial Educational FM Radio Station on Channel 201 in Murrysville, Pennsylvania. In support whereof, the following is shown:

# Preliminary Statement

- 1. Standing. CMSGC is the Licensee of NCE FM Broadcast Station WRCT (FM), Pittsburgh, Pennsylvania, and presently operates on Channel 202 with an ERP of 100 watts. CMSGC has filed an Application with the Commission for a Construction Permit to increase its ERP on Channel 202 to 1.5 kW. The Application was accepted for filing as of August 30, 1990 (FCC File No. BPED-1108MA), and placed on cut-off for October 4, 1990 (Report No. A-202). Prior to the release of the cut-off notice, HAI tendered its Application for a new NCE FM facility on Channel 201 with an ERP of 100 watts and an HAAT at 67 meters.<sup>1</sup>
- 2. The HAI Application is mutually exclusive with the Application if CMSGC for major change in facilities. Grant of the HAI would preclude the grant of CMSGC's power

<sup>&</sup>lt;sup>1</sup>On December 6, 1990 the FM Branch returned HAI's application as patently defective, due to prohibited overlap with the *existing* operation of WRCT. (Ref. 8920-JRW). HAI thereafter resubmitted its application with an amended proposal for 50 watts ERP, and requested reinstatement *nunc pro tunc*.

increase Application. Accordingly, CMSGC has standing, as an interested party, under the Commission's Rules, to file this Petition. *See, FCC v. Sanders Brothers Radio Station*, 309 U.S. 470 (1940).

3. *Timeliness*. This Petition is being filed in timely fashion under Section 73.3584(a) of the Commission's Rules. Specifically, it is being filed within 30 days of the date the Commission gave public notice of acceptance for filing of the HAI Application (Report No. B-131, released March 11, 1991, and cut-off date of April 12, 1991 established), and in response to that Cut-off Notice.

#### ARGUMENT

# I. The HAI Application Does Not Comply With the Provisions of 47 CFR §73.525(c)

- 4. Section 73.525(c) of the Commission's Rules provides, in pertinent part:
  - (c) New NCE-FM Stations. Except as provided for by paragraph (d) of this section,<sup>2</sup> applicants for NCE-FM stations proposing to operate on channels 201-220 must submit a showing indicating that the predicted interference area resulting from the proposed facility contains no more than 3,000 persons.

Subparagraph (c)(2) provides that up to 1,000 persons may be subtracted from the number of persons in the predicted TV-6 interference area where the applicant to proposes to install a filter for each such person within 90 days of commencing program tests, and files a certification with the affected television station with sufficient information to provide verification.

5. HAI has not complied with these provisions. Not only has it made no showing that the number of persons residing within the predicted interference area, it has made no representation to the Commission that it would install even one filter, pursuant to Section 73.525(c)(2). Instead, it has contended, erroneously, that the number of affected persons is zero due to network duplication. This is blatantly false.

<sup>&</sup>lt;sup>2</sup>§73.525(d) applies to new NCE-FM Applicants proposing to be co-located with a Television Channel 6 transmitter.

- 6. Attached hereto is the Engineering Statement and Affidavit of B. Benjamin Evans of Evans Associates Consulting Engineers. Mr. Evans has performed a Channel 6 interference study on the HAI Application, and concludes that the number of persons residing within the overlap of the FM interference contour and the WJAC-TV grade A contour is 4,012 persons, well in excess of that permitted under Section 73.525(c) of the Rules, even with the installation of filters.
- 7. Mr. Evans points out that while HAI could properly exclude the population residing outside the WJAC-TV Grade A contour and within the WPXI-TV City Grade Contour because of network duplication, the population *inside* the WJAC-TV Grade A Contour cannot be excluded under Section 73.525(e)(3)(iii). Because of the size of the Census Tract maps for Murrysville, and the fact that they include both urban and rural regions, Mr. Evans states that he did a house count of the number of homes inside the interference area, by reference to a U.S.G.S. 7½ minute topological map, attached to his Statement, and to current (1990) U.S. Census statistics. Based upon U.S. Census determination of number of persons per household Mr. Evans concluded that the total number of persons residing within the Channel 6 interference area of 4,012. Since this number exceeds the permissible number of persons within the interference area under Section 73.525(c), the HAI must be dismissed, or denied, as having been improperly accepted for filing.

# II. HAI Does Not Have Reasonable Assurance of the Availability of its Proposed Transmitter Site.

8. HAI proposes to locate its transmission antenna on the transmitter tower of WPTT-TV, Pittsburgh, PA. WPTT-TV is owned by Sinclair Broadcast Group, Inc. Mr. Evans, states that he contacted David Smith, President of Sinclair Broadcast Group, Inc., concerning what understanding Sinclair had with HAI concerning the availability of the WPTT-TV site. Mr. Smith informed Mr. Evans that no one had ever contacted him concerning the use of the WPTT-TV tower for a new FM station, and he had not made an agreement with anyone to make space available for an FM antenna on the WPTT-TV

tower. Further, Mr. Smith advised Mr. Evans that Smith is the only person associated with Sinclair and WPTT-TV that would be authorized to enter into such an agreement or give such permission.<sup>3</sup>

9. These facts raise a *prima facia* question of whether HAI has reasonable assurance of the availability of its transmitter site. HAI should be required to demonstrate, through written evidence, that it has a valid agreement with Sinclair Broadcast Group, Inc. for space on the WPTT-TV tower. Moreover, HAI should not be permitted to amend its application to show a new site or a new agreement for its proposed site without a demonstration of good cause. Failure to show good cause is grounds for dismissal of the HAI Application.

WHEREFORE, the above premises considered, CMSGC respectfully urges that the Application of He's Alive, Incorporated for a new NCE-FM Station in Murrysville, Pennsylvania, be DISMISSED or DENIED as improperly accepted for filing.

Respectfully submitted,

CARNEGIE-MELLON STUDENT GOVERNMENT CORPORATION

David M. Hunsaker

Its Attorney

Law Offices

PUTBRESE, HUNSAKER & RUDDY

6800 Fleetwood Road, Suite 100

P.O. Box 539

McLean, Virginia 22101

(703) 790-8400

April 10, 1991

<sup>&</sup>lt;sup>3</sup>Mr. Evans' statements concerning his conversation with David Smith are made under oath.

#### ENGINEERING EXHIBIT

PETITION TO DENY APPLICATION OF HE'S ALIVE, INC.

FOR A NEW NCE-FM STATION

AT MURRYSVILLE, PENNSYLVANIA

(FCC FILE NO. BPED-900606MC)

FILED BY: CARNEGIE-MELLON STUDENT GOVERNMENT CORP.

LICENSEE OF WRCT(FM)

PITTSBURGH, PENNSYLVANIA

**APRIL 1991** 

#### **ENGINEERING STATEMENT**

This Engineering Statement and the attached exhibits were prepared by or under the direction of B. Benjamin Evans of Evans Associates, Consulting Communications Engineers in Thiensville, Wisconsin, on behalf of Carnegie-Mellon Student Government Corporation, licensee of NCE-FM station WRCT in Pittsburgh, Pennsylvania. This engineering exhibit is in support of Carnegie-Mellon's petition to deny an application filed by He's Alive, Inc. for a new NCE-FM station on Channel 201 to serve Murrysville, Pennsylvania (FCC file no. BPED-900606MC).

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Carnegie-Mellon Student Government Corporation has retained this affiant to examine the FCC 340 construction permit application of He's Alive, Inc. for a new NCE-FM station at Murrysville, Pennsylvania, to determine whether or not said application is in compliance with FCC technical rules and basic engineering qualifications. He's Alive, Inc. requests 50 watts effective radiated power and 67 meters antenna HAAT on Channel 201 (88.1 MHz)

This affiant has determined that the proposed Murrysville facility violates Section 73.525, Paragraph (c) of the FCC rules with respect to interference to TV Channel 6. In addition, the applicant apparently does not have reasonable assurance that the transmitter site proposed in its application is available for the applicant's intended purpose.

#### CHANNEL 6 INTERFERENCE

The transmitter site proposed by He's Alive, Inc. is located 63 kilometers from Channel 6 station WJAC-TV in Johnstown, Pennsylvania, and is well inside WJAC-TV's predicted Grade B (47 dBu) service contour. Section 73.525 of the FCC rules states that a new NCE-FM station cannot cause predicted interference to more than 3,000 persons within the Channel 6 station's Grade B service contour, or no more than 4,000 persons if the applicant installs filters on TV receivers for 1,000 persons within the predicted interference area.

The applicant's Channel 6 interference study acknowledges the existence of Channel 6 interference area, but does not show interference inside the WJAC-TV Grade A (68 dBu) contour. Since the WJAC-TV predicted Grade A contour comes as close as 1.9 kilometers to the proposed Channel 201 site, it is evident to any

Engineering Statement - Page 2

engineer who is familiar with the FCC's NCE-FM rules regarding interference to TV Channel 6, that there would be predicted interference within this contour. The engineering consultant for He's Alive, Inc. claims that since the entire interference area lies within the predicted City Grade contour of same-network TV station WPXI in Pittsburgh, Pennsylvania, the calculated number of people predicted to receive interference to WJAC-TV is zero. This conclusion, however, is based on the consultant's determination that there is no predicted interference within the WJAC-TV Grade A contour, which is demonstrably false.

The applicant was correct in subtracting the population of the interference area outside the WJAC-TV Grade A contour and within the WPXI(TV) city grade contour because of network duplication. However, as will be demonstrated herein, the proposed Murrysville facility would cause predicted interference within the WJAC-TV Grade A contour, whose population cannot be subtracted from the total using the network duplication adjustment. Not only would there be interference within the WJAC-TV Grade A contour, but this interference area would fall on a heavily-populated area of Murrysville.

Attached is a topographic map showing the Channel 6 interference contour of the proposed Murrysville NCE-FM facility, and several signal strength contours of WJAC-TV, including the Grade A This interference area study was done in contour (68 dBu). strict accordance with Section 73.525, Paragraph (e). population predicted to receive interference to WJAC-TV is within the overlap area of the FM interference contour and the WJAC-TV Grade A contour. This area falls almost entirely over the borough of Murrysville. A portion of a 1987 topographic map of Westmoreland County which contains the interference area was overlayed onto this map. The county map contains the most recent terrain photorevisions available. Again, due to network duplication, only the interference area within the WJAC-TV Grade A contour is considered by Section 73.525 of FCC rules to be subjected to interference to Channel 6.

In order to determine the population within the interference area, this affiant counted the number of houses shown on the topographic map inside the area. It should be noted that the standard procedure for determining population within a portion of a civil division is to assume a uniform population distribution within the civil division, and then take the share of the population of the civil division proportional to the fractional area. However, this affiant believes that such a procedure in

#### AFFIDAVIT

COUNTY	OF	F OZAUKEE	)	
			)	SS:
STATE	OF	WISCONSIN	)	

B. BENJAMIN EVANS, being duly sworn upon oath deposes and says:

That he is a Consulting Communications Engineer in Wisconsin, and is a partner in the firm of Evans Associates;

That his qualifications are a matter of record with the Federal Communications Commission;

That he has been retained by Carnegie-Mellon Student Government Corporation to prepare the instant engineering exhibit;

That he has either prepared or directly supervised the preparation of all technical information contained in this engineering exhibit, and that the facts stated in the attached engineering statement are true to his knowledge except such statements identified herein as based on information or belief and as to such statements he believes them to be true.

B Benjamin Evans

Subscribed and sworn to before me this 5th day of April, 1991.

Latricia Magner

Notary Public

My Commission expires May 15,1994

	rence	WJA C/R						Propos /R	sed Ch 70 m		
		Latit	ıde:	40-22-	-17		L	atitu		10-26-	-23
Lon 79	-43-11	Longit	ude: '	78-58-	-58		Loi	ngitu		79-43-	
Bear.	Dist	Bear. Dis	t Haat	ERP	F.S.	U/D	Bear.	Dist	Haat	ERP	F.S.
(deg)	(km)	(deg) (km				(dB)	(deg)	(km)	(m)	(kW)	(dBu)
		201 2 62									
.0 1.0	4.6	281.3 63.				1.5*	.0				68.2
2.0	$4.6 \\ 4.6$	281.3 63.		70.8	66.7			4.58	71.4	.05	68.2
3.0	4.5	281.3 63. 281.3 63.		70.8	66.8 66.8	1.5* 1.5*					68.3
3.0 4.0	4.5	281.2 63.		70.8	66.8	1.5* 1.5*		4.51	69.8	.05	68.3
5.0	4.4	281.2 63.		70.8	66.9	1.5*			69.0	.05	68.3
6.0	4.4	281.2 63.		70.8	66.9	1.5*			68.2	.05	68.4
7.0	4.4	281.2 63.		70.8	66.9	1.5*			67.4		$68.4 \\ 68.4$
3.0	4.4	281.2 63.		70.8	67.0	1.5*		4.36		.05	68.4
9.0	4.3	281.1 63.		70.8	67.0	1.5*			65.7	.05	68.5
10.0	4.3	281.1 62.		70.8	67.0	1.5*		4.29		.05	68.5
11.0	4.3	281.1 62.		70.8	67.1	1.5*		4.26		.05	68.5
12.0	4.2	281.0 62.		70.8	67.1	1.5*		4.23		.05	68.5
13.0	4.2	281.0 62.		70.8	67.1	1.5*		4.20		.05	68.6
14.0	4.2	281.0 62.		70.8	67.2	1.5*		4.16		.05	68.6
15.0	4.1	280.9 62.		70.8	67.2	1.5*		4.13		.05	68.6
16.0	4.1	280.9 62.		70.8	67.2	1.5*		4.09		.05	68.7
17.0	4.1	280.9 62.		70.8	67.3	1.5*			59.3	.05	68.7
18.0	4.0	280.8 62.		70.8	67.3	1.5*		4.03		.05	68.7
19.0	4.0	280.8 62.		70.8	67.3	1.5*	19.0		57.6	.05	68.7
20.0	4.0	280.7 62.		70.8	67.4	1.5*		3.96		.05	68.8
21.0	3.9	280.7 62.		70.8	67.4	1.5*		3.94		.05	68.8
22.0	3.9	280.7 62.		70.8	67.4	1.4*		3.90		.05	68.8
23.0	3.9	280.6 62.		70.8	67.4	1.4*			54.4	.05	68.8
24.0	3.8	280.6 62.		70.8	67.5	1.4*		3.83		.05	68.9
25.0	3.8	280.5 61.		70.8	67.5		25.0			.05	68.9
26.0	3.8	280.5 61.		70.8	67.5					.05	68.9
27.0	3.7	280.4 61.		70.8	67.5					.05	68.9
28.0	3.7	280.4 61.		70.8	67.5	1.4*				.05	69.0
29.0	3.7	280.3 61.		70.8	67.6	1.4*		3.65		.05	69.0
30.0	3.6	280.3 61.		70.8	67.6	1.4*		3.61		.05	69.0
31.0	3.6	280.2 61.		70.8	67.6	1.4*		3.57		.05	69.0
32.0	3.5	280.2 61.		70.8	67.6	1.4*		3.54		.05	69.0
33.0	3.5	280.1 61.		70.8	67.6	1.4*		3.50		.05	69.1
34.0	3.5	280.1 61.		70.8	67.7	1.4*		3.46		.05	69.1
35.0	3.4	280.0 61.		70.8	67.7	1.4*		3.42		.05	69.1
36.0	3.4	279.9 61.		70.8	67.7	1.4*		3.38		.05	69.1
37.0	3.3	279.9 61.		70.8	67.7	1.4*		3.34		.05	69.1
38.0	3.3	279.8 61.		70.8	67.8	1.4*		3.30		.05	69.2
39.0	3.3	279.8 61.		70.8	67.8	1.4*		3.26		.05	69.2
40.0	3.2	279.7 61.		70.8	67.8	1.4*		3.23		.05	69.1
41.0	3.2	279.7 61.		70.8	67.8	1.4*		3.19		.05	69.2
42.0	3.2	279.6 61.		70.8	67.8	1.4*	42.0		39	.05	69.2
43.0	3.1	279.5 61.	2 460	70.8	67.8	1.4*	43.0	3.12	38.2	.05	69.2

Page 2 March 21, 1991

Title: HE'S ALIVE, INC. - MURRYSVILLE PA

S	ference	C/1	R 3						/R	70 m	AAT	
Lat	40-26-23	La	titud	le: 4	40-22-	-17		ة ما	atitud		10-26-	
Lon	79-43-11	Lon	gitud	le:	78-58-	-58		Lor	ngitud	de: 7	79-43-	11
Bear.	Dist	Bear.	Dist	Haat	ERP	F.S.	U/D	Bear.				F.S.
(deg)	(km)	(deg)	(km)	(m)	(kW)	(dBu)						(dBu)
44.0		279.5					1.4*					69.2
45.0		280.3			70.8	68.1	-4.6	45.0			.05	63.5
46.0		280.3				68.1		46.0			.05	63.5
47.0		280.3			70.8	68.2		47.0				63.5
48.0		280.2			70.8	68.2		48.0			.05	63.5
49.0		280.2			70.8	68.2		49.0			.05	63.6
50.0		280.2			70.8	68.3		50.0				63.6
51.0		280.1			70.8	68.3		51.0 52.0			.05	63.6 63.7
52.0		280.1 280.1			70.8	68.3 68.3	-4.6 -4.6	53.0				63.7
53.0		280.1			70.8	68.4	-4.6	54.0			.05	63.7
54.0 55.0		280.0			70.8	68.4	-4.6	55.0			.05	63.8
56.0		279.9			70.8	68.5	-4.6	56.0			.05	63.8
57.0		279.9			70.8	68.5	-4.6	57.0			.05	63.8
58.0		279.8			70.8	68.5	-4.6	58.0			.05	63.8
59.0		279.8			70.8	68.5	-4.7	59.0				63.9
60.0		279.8			70.8	68.6	-4.7		4.44		.05	63.9
61.0		279.7			70.8	68.6	-4.7		4.45		.05	63.9
62.0		279.6			70.8	68.6	-4.7	62.0			.05	63.9
63.0		279.6			70.8	68.6	-4.7		4.48		.05	64.0
64.0		279.5			70.8	68.7	-4.7	64.0			.05	64.0
65.0		279.5			70.8	68.7	-4.7		4.51		.05	64.0
66.0		279.4			70.8	68.7	-4.7		4.53		.05	64.0
67.0		279.4			70.8	68.7	-4.7		4.54		.05	64.1
68.0		279.3			70.8	68.8	-4.7	68.0			.05	64.1
69.0		279.3			70.8	68.8	-4.7				.05	64.1
70.0		279.2			70.8	68.8	-4.7	70.0			.05	64.1
71.0		279.1			70.8	68.8	-4.7		4.60		.05	64.1
72.0		279.1			70.8	68.9	-4.7		4.62		.05	64.1
73.0		279.0			70.8	68.9	-4.7		4.62		.05	64.2
74.0		278.9			70.8	68.9	-4.7		4.64		.05	64.2
75.0		278.9			70.8	69.0	-4.7		4.65		.05	64.3
76.0		278.8	58.7	461	70.8	69.0	-4.7	76.0	4.67	47.4	.05	64.3
77.0		278.7		461	70.8	69.0	-4.7		4.69		.05	64.3
78.0	4.7	278.7	58.6	461	70.8	69.0	-4.7	78.0	4.70	48.1	.05	64.3
79.0	4.7	278.6	58.5	461	70.8	69.0	-4.7	79.0	4.72	48.4	.05	64.3
80.0	4.7	278.5	58.5	461	70.8	69.0	-4.7	80.0	4.73	48.8	.05	64.3
81.0	4.7	278.4	58.4	461	70.8	69.1	-4.7	81.0	4.75	49.1	.05	64.3
82.0		278.4	58.4		70.8	69.1	-4.7	82.0	4.76	49.5	.05	64.4
83.0		278.3			70.8	69.1	-4.7		4.78		.05	64.4
84.0		278.2			70.8	69.1	-4.7	84.0			.05	64.4
85.0		278.1			70.8	69.1	-4.7	85.0			.05	64.4
86.0		278.1			70.8	69.1	-4.7	86.0			.05	64.4
87.0	4.8	278.0	58.3	462	70.8	69.2	-4.7	87.0	4.82	51.2	.05	64.5

Sit	e	WJAC C/R	Channel 6 341 m AAT de: 40-22-				Propos /R	70 m	AAT	
Lat 40							atitud		10-26-	
Lon 79	-43-11	Longitu	de: 78-58-	-58		Loi	ngitu	le: 7	79-43-	-11
Bear.	Dist	Bear. Dist	Haat FOD	F.S.	U/D	Bear.	Diet	Hast	ERP	F.S.
	(km)	(deg) (km)			(dB)	(deg)				
		=								
	4.8	277.9 58.2		69.2		88.0	4.84	51.5	.05	64.5
	4.9	277.8 58.2		69.2		89.0				64.5
	4.9	277.7 58.2		69.2	-4.7	90.0	4.87	52.2	.05	64.5
	4.9	277.7 58.2		69.2		91.0			.05	64.5
92.0	4.9	277.6 58.1		69.2		92.0			.05	64.5
93.0	4.9	277.5 58.1		69.2		93.0			.05	64.5
94.0	4.9	277.4 58.1		69.2		94.0			.05	64.5
95.0	4.9	277.3 58.1		69.2		95.0			.05	64.5
96.0	4.9	277.2 58.1		69.2		96.0			.05	64.5
97.0	4.9	277.2 58.1		69.2		97.0			.05	64.5
98.0	4.9	277.1 58.1		69.3		98.0			.05	64.5
99.0	4.9	277.0 58.1		69.3		99.0			.05	64.5
100.0	4.9	276.9 58.1		69.3	-4.7				.05	64.5
	4.9	276.8 58.1		69.3	-4.7				.05	64.5
	4.9	276.7 58.1		69.3	-4.7	102.0			.05	64.5
103.0	4.9	276.7 58.1		69.3	-4.7				.05	64.5
104.0	4.9	276.6 58.1		69.3	-4.7	104.0			.05	64.5
105.0	4.9	276.5 58.2		69.3	-4.7	105.0		53	.05	64.5
106.0	4.9	276.4 58.2		69.3	-4.7	106.0			.05	64.5
107.0	4.9	276.3 58.2	464 70.8	69.3	-4.7	107.0			.05	64.5
108.0	4.9	276.2 58.2	464 70.8	69.2	-4.7	108.0			.05	64.5
109.0	4.9	276.2 58.2	464 70.8	69.2	-4.7	109.0			.05	64.5
110.0	4.9	276.1 58.2		69.2	-4.7	110.0			.05	64.5
111.0	4.9	276.0 58.2	465 70.8	69.3	-4.7	111.0			.05	64.5
112.0	4.9	275.9 58.3		69.2	-4.7	112.0			.05	64.5
113.0	4.9	275.8 58.3		69.2	-4.7	113.0			.05	64.5
114.0	4.9	275.7 58.3		69.2	-4.7	114.0			.05	64.5
115.0	4.9	275.7 58.3		69.2	-4.7	115.0			.05	64.5
		275.6 58.4	465 70.8	69.2					.05	64.4
117.0	5.0	275.5 58.4	465 70.8	69.2	-4.7	117.0			.05	64.5
118.0	5.0	275.4 58.4		69.2	-4.7	118.0			.05	64.4
119.0	5.0	275.3 58.4	465 70.8	69.2	-4.7	119.0			.05	64.4
120.0	5.0	275.3 58.5	465 70.8	69.2	-4.7	120.0			.05	64.4
121.0	5.0	275.2 58.5	465 70.8	69.1	-4.7	121.0			.05	64.4
122.0	5.0	275.1 58.5	465 70.8	69.1	-4.7	122.0			.05	64.4
123.0	5.0	275.0 58.6	465 70.8	69.1	-4.7	123.0			.05	64.4
124.0	5.0	274.9 58.6	466 70.8	69.1	-4.7	124.0			.05	64.4
125.0	5.0	274.9 58.7	466 70.8	69.1	-4.7	125.0			.05	64.4
126.0	5.0	274.8 58.7	466 70.8	69.1	-4.7	126.0		54.1	.05	64.4
127.0	5.0	274.7 58.7	466 70.8	69.1	-4.7	127.0		54.1	.05	64.3
128.0	5.0	274.7 58.7	466 70.8	69.1	-4.7	128.0			.05	64.3
129.0	5.0	274.6 58.8	466 70.8	69.0	-4.7	129.0			.05	64.3
130.0	5.0	274.5 58.9		69.0	-4.7				.05	64.3
131.0	5.0	274.4 58.9	466 70.8	69.0	-4.7				.05	64.3
	٥.٠		100 / 0 . 0	05.0	**/		J. U.	31.0	.00	0

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Sit		C/R	341 m	AAT				/R	70 m	AAT	
Lat 40 Lon 79	-26-23 -43-11			40-22 78-58				atitu ngitu		10-26- 79-43-	
Bear. (deg)	Dist (km)	Bear. Di (deg) (k		ERP	F.S.	U/D (dB)	Bear.			ERF	F.S.
_											
132.0	5.0	274.3 59		70.8	69.0	-4.7	132.0				64.2
133.0	5.1	274.3		70.8	69.0	-4.7	133.0			.05	64.2
134.0	5.1	274.2 59		70.8	68.9	-4.7	134.0			.05	64.2
135.0	5.1	274.1 59		70.8	68.9	-4.7	135.0			.05	64.2
136.0	5.1	274.1 59		70.8	68.9	-4.7	136.0			.05	64.2
137.0	5.1	274.0 59		70.8	68.9	-4.7	137.0			.05	64.2
138.0	5.1	273.9 59		70.8	68.9	-4.7	138.0			.05	64.2
139.0	5.2	273.8 59		70.8	68.9	-4.7	139.0			.05	64.2
140.0	5.2	273.7 59		70.8	68.8	-4.7	140.0			.05	64.1
141.0	5.2	273.6 59		70.8	68.8	-4.7	141.0			.05	64.1
142.0	5.3	273.6 59		70.8	68.8	-4.7	142.0			.05	64.1
143.0	5.3 5.3	273.5 59		70.8	68.8	-4.7	143.0 144.0			.05	64.1
144.0 145.0	5.3	273.4 59 273.3 59		70.8	68.8 68.7	-4.7 -4.7	144.0			.05	$64.0 \\ 64.1$
146.0	5.4	273.3 59		70.8	68.7	-4.7	146.0			.05	64.0
147.0	5.4	273.3 59		70.8	68.7	-4.7	147.0			.05	64.0
148.0	5.4	273.1 59		70.8	68.6	-4.7	148.0			.05	64.0
149.0	5.5	273.1 59		70.8	68.6	-4.7	149.0			.05	63.9
150.0	5.5	273.0 59		70.8	68.6	-4.7	150.0			.05	64.0
151.0	5.5	272.9 60		70.8	68.6	-4.7	151.0			.05	63.9
152.0	5.5	272.8 60		70.8	68.6	-4.7	152.0			.05	63.9
153.0	5.6	272.8 60		70.8	68.5	-4.7	153.0			.05	63.9
154.0	5.6	272.7 60		70.8	68.5	-4.6	154.0			.05	63.8
155.0	5.6	272.6 60		70.8	68.5	-4.6	155.0			.05	63.8
156.0	5.6	272.6 60		70.8	68.4	-4.6	156.0			.05	63.8
157.0	5.7	272.5 60		70.8	68.4	-4.6	157.0			.05	63.7
158.0	5.7	272.4 60	.5 469	70.8	68.4	-4.6	158.0	5.70	66.4	.05	63.7
159.0	5.7	272.4 60	.6 469	70.8	68.3	-4.6	159.0	5.73	66.9	.05	63.7
160.0	5.8	272.3 60		70.8	68.3	-4.6	160.0			.05	63.7
161.0	5.8	272.2 60		70.8	68.3	-4.6	161.0			.05	63.6
162.0	5.8	272.2 60		70.8	68.2	-4.6	162.0			.05	63.6
163.0	5.9	272.1 60		70.8	68.2	-4.6	163.0			.05	63.5
164.0	5.9	272.1 61		70.8	68.1	-4.6	164.0			.05	63.5
165.0	4.2	273.5 61		70.8	67.9	1.4*	165.0			.05	69.3
166.0	4.3	273.5 61		70.8	67.8	1.4*	166.0			.05	69.2
167.0	4.3	273.4 61		70.8	67.8	1.4*	167.0		71	.05	69.2
168.0	4.3	273.4 61		70.8	67.8	1.4*	168.0			.05	69.2
169.0	4.3	273.3 61		70.8	67.7	1.4*	169.0			.05	69.2
170.0 171.0	4.4	273.3 61		70.8	67.7	1.4*	170.0			.05	69.1
171.0	$4.4 \\ 4.4$	273.3 62 273.2 62		70.8	67.7	1.4*	171.0			.05	$69.1 \\ 69.1$
172.0	4.4	273.2 62		70.8	67.7 67.6	1.4* 1.4*	172.0 173.0			.05 .05	69.1
174.0	4.5	273.2 62		70.8	67.6	1.4*	173.0			.05	69.0
175.0	4.5	273.1 62		70.8	67.6	1.4*	175.0			.05	69.0
				, , , ,	2,.0	<b></b> -					

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S Lat	ference Site 40-26-23 79-43-11	23 Latitude: 40-22-17						ር/ድ 70 m አለጥ					
Bear.		Bear.	(km)	(w)	(kW)	F.S.	U/D (dB)	Bear. (deg)	(km)	(m)	(kW)		
176.0	4.5	273.1	62.3	467	70.8	67.5	1.4*	176.0	4.49	75.6	.05	69.0	
177.0		273.1			70.8	67.5	1.4*	177.0				68.9	
178.0		273.1			70.8	67.5	1.4*	178.0				68.9	
179.0		273.0			70.8	67.4		179.0				68.8	
180.0		273.0			70.8	67.4		180.0				68.8	
181.0		273.0			70.8	67.4		181.0				68.8	
182.0		273.0			70.8	67.4		182.0				68.8	
183.0		272.9			70.8	67.3	1.5*	183.0			.05	68.8	
184.0		272.9			70.8	67.3		184.0			.05	68.7	
185.0		272.9			70.8	67.3	1.5*	185.0				68.7	
186.0		272.9			70.8	67.2	1.5*	186.0				68.7	
187.0		272.9			70.8	67.2		187.0				68.7	
188.0		272.9			70.8	67.2		188.0				68.6	
189.0		272.9			70.8	67.1		189.0				68.6	
190.0		272.8			70.8	67.1	1.5*	190.0				68.6	
191.0		272.8			70.8	67.0	1.5*	191.0				68.5	
192.0		272.8			70.8	67.0	1.5*	192.0				68.5	
193.0		272.8			70.8	67.0	1.5*	193.0			.05	68.5	
194.0		272.8			70.8	66.9	1.5*	194.0			.05	68.4	
195.0		272.8			70.8	66.9	1.5*	195.0				68.4	
196.0		272.8			70.8	66.9	1.5*	196.0				68.4	
197.0		272.8			70.8	66.8	1.5*	197.0			.05	68.3	
198.0		272.8			70.8	66.8	1.5*	198.0				68.3	
199.0		272.8			70.8	66.7	1.5*	199.0				68.3	
200.0		272.8			70.8	66.7	1.5*	200.0				68.2	
201.0		272.8			70.8	66.7		201.0				68.2	
202.0		272.8			70.8	66.6	1.6*	202.0				68.2	
203.0		272.8			70.8	66.6	1.6*					68.2	
204.0		272.8			70.8	66.6	1.6*	204.0			.05	68.1	
205.0		272.8			70.8	66.5	1.6*	205.0			.05	68.1	
206.0		272.9			70.8	66.5	1.6*	206.0			.05	68.0	
207.0		271.1			70.8	66.1	-4.3	207.0			.05	61.7	
208.0		271.2			70.8	66.0	-4.3	208.0			.05	61.7	
209.0		271.2			70.8	66.0	-4.3	209.0			.05	61.6	
210.0		271.2			70.8	65.9	-4.3	210.0			.05	61.6	
211.0		271.2			70.8	65.9	-4.3	211.0			.05	61.6	
212.0		271.3			70.8	65.8	-4.3	212.0			.05	61.5	
213.0		271.3			70.8	65.8	-4.3	213.0			.05	61.5	
214.0		271.3			70.8	65.7	-4.3	214.0			.05	61.4	
215.0		271.4			70.8	65.7	-4.2	215.0			.05	61.4	
216.0		271.4			70.8	65.6	-4.2	216.0			.05	61.4	
217.0		271.5			70.8	65.6	-4.2	217.0			.05	61.3	
218.0		271.5			70.8	65.5	-4.2	218.0			.05	61.3	
219.0	7.8	271.5	67.5	470	70.8	65.5	-4.2	219.0	7.84	95.1	.05	61.2	

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		WJAC C/R 3 Latitud Longitud	41 m AAT e: 40-22-	17		Proposed Ch. 201 C/R 70 m AAT Latitude: 40-26-23 Longitude: 79-43-11					
HOII /J	40 11	Longread		50		101	igread		J 41.5	11	
Bear. (deg)	Dist (km)	Bear. Dist (deg) (km)	Haat ERP (m) (kW)	F.S.	U/D (dB)	Bear. (deg)		Haat (m)	ERP	F.S.	
220.0	7.9	271.6 67.7	470 70.8	65.4	-4.2	220.0	7.88	95.6	.05	61.2	
221.0	7.9	271.6 67.8	470 70.8	65.3	-4.2	221.0			.05	61.2	
222.0	8.0	271.7 67.9	470 70.8	65.3	-4.2	222.0	7.96	96.5	.05	61.1	
223.0	8.0	271.7 68.1	470 70.8	65.2	-4.2	223.0			.05	61.1	
224.0	8.0	271.8 68.2	470 70.8	65.2	-4.1	224.0			.05	61.0	
225.0	8.1	271.8 68.3	470 70.8	65.1	-4.1	225.0			.05	61.0	
226.0	8.1	271.9 68.4	470 70.8	65.1	-4.1	226.0			.05	61.0	
227.0	8.1	272.0 68.5	469 70.8	65.0	-4.1	227.0			.05	60.9	
228.0	8.1	272.1 68.6	469 70.8	65.0	-4.1	228.0			.05	60.9	
229.0	8.1	272.2 68.7	469 70.8	65.0	-4.1	229.0			.05	60.9	
230.0	8.0	272.3 68.8	469 70.8	64.9	-4.1	230.0			.05	60.8	
231.0 232.0	8.0 8.0	272.4 68.9 272.5 69.0	469 70.8	64.9	-4.1	231.0			.05	60.8 60.8	
233.0	8.0	272.5 69.0	469 70.8 469 70.8	64.9 $64.8$	$-4.1 \\ -4.1$	232.0 233.0			.05 .05	60.8	
234.0	8.0	272.7 69.1	469 70.8	64.8	-4.1	234.0		93.4	.05	60.7	
235.0	8.0	272.8 69.2	469 70.8	64.8	-4.0	235.0			.05	60.7	
235.0	8.0	272.8 69.2	469 70.8	64.7	-4.0	235.0			.05	60.7	
237.0	8.0	273.0 69.4	469 70.8	64.7	-4.0	237.0			.05	60.7	
238.0	8.0	273.1 69.4	467 70.8	64.6	-4.0	238.0			.05	60.6	
239.0	7.9	273.2 69.5	467 70.8	64.6	-4.0	239.0			.05	60.6	
240.0	7.9	273.3 69.6	467 70.8	64.6	-4.0	240.0			.05	60.6	
241.0	7.9	273.4 69.6	467 70.8	64.6	-4.0	241.0			.05	60.6	
242.0	7.9	273.5 69.7	467 70.8	64.5	-4.0	242.0			.05	60.6	
243.0	7.9	273.6 69.7	467 70.8	64.5	-4.0	243.0			.05	60.5	
244.0	7.9	273.7 69.8	467 70.8	64.5	-4.0	244.0			.05	60.5	
245.0	7.9	273.8 69.8	467 70.8	64.5	-4.0	245.0	7.85	88.0	.05	60.5	
246.0	7.8	273.9 69.9	467 70.8	64.5	-4.0	246.0	7.84	87.5	.05	60.5	
247.0	7.8	274.0 69.9	467 70.8	64.4	-4.0	247.0	7.82	87.0	.05	60.5	
248.0	7.8	274.1 70.0	466 70.8	64.4	-3.9	248.0			.05	60.4	
249.0	7.8	274.2 70.0	466 70.8	64.4	-3.9	249.0			.05	60.4	
250.0	7.8	274.3 70.1	466 70.8	64.4	-3.9	250.0			.05	60.4	
251.0	7.8	274.4 70.1	466 70.8	64.3	-3.9	251.0			.05	60.4	
252.0	7.7	274.5 70.1	466 70.8	64.3	-3.9	252.0			.05	60.4	
253.0	7.7	274.6 70.2	466 70.8	64.3	-3.9	253.0			.05	60.4	
254.0	7.7	274.8 70.2	466 70.8	64.3	-3.9	254.0			.05	60.4	
255.0	7.7	274.9 70.2	466 70.8	64.3	-3.9	255.0			.05	60.4	
256.0	7.7	275.0 70.3	466 70.8	64.3	-3.9 -3.0	256.0			.05	60.4	
257.0 258.0	7.6 7.6	275.1 70.3 275.2 70.3	465 70.8	64.2	-3.9 -3.9	257.0			.05 .05	60.3 60.3	
259.0	7.6	275.3 70.3	465 70.8 465 70.8	$64.2 \\ 64.2$	-3.9 -3.9	258.0 259.0			.05	60.3	
260.0	7.6	275.4 70.3	465 70.8	64.2	-3.9 -3.9	260.0			.05	60.3	
261.0	7.6	275.5 70.3	465 70.8	64.2	-3.9 -3.9	261.0			.05	60.3	
262.0	7.5	275.6 70.4	465 70.8	64.2	-3.9 -3.9	262.0			.05	60.3	
263.0	7.5	275.7 70.4	465 70.8	64.2	-3.9	263.0			.05	60.3	

Interi	erference WJAC Channel 6 Site C/R 341 m AAT 40-26-23 Latitude: 40-22-17 79-43-11 Longitude: 78-58-58							Proposed Ch. 201 C/R 70 m AAT					
Lat 4	40-26-23	Lá	atituo	de:	40-22-	-17		Latitude: 40-26-23					
Lon 7	79-43-11	Lor	ngitu	de: (	78-58-	-58		Longitude: 79-43-11					
Bear.	Dist	Bear.	Dist	Haat	ERP	F.S.	U/D	Bear.					
(deg)	(km)	-				(dBu)	(dB)	(deg)					
264.0	7.5	275.8				64.2	-3.9	264.0				60.3	
265.0	7.5	275.9				64.2	-3.9	265.0			.05	60.3	
266.0	7.5	276.1			70.8	64.2	-3.9	266.0			.05	60.3	
267.0	7.4	276.2			70.8	64.2	-3.9	267.0			.05	60.3	
268.0	7.4	276.3				64.2	-3.9	268.0			.05	60.3	
269.0	7.4	276.4			70.8	64.2	-3.9	269.0			.05	60.3	
270.0	7.4	276.5			70.8	64.2	-3.9	270.0			.05	60.3	
271.0	7.4	276.6			70.8	64.2	-3.9	271.0	7.38	76.2	.05	60.3	
272.0	7.4	276.7			70.8	64.2	-3.9	272.0	7.40	76.5	.05	60.3	
273.0	7.4	276.8	70.4	464	70.8	64.1	-3.9	273.0	7.42	76.9	.05	60.3	
274.0	7.4	276.9	70.5	464	70.8	64.1	-3.9	274.0	7.44	77.3	.05	60.3	
275.0	7.5	277.0	70.5	464	70.8	64.1	-3.9	275.0	7.48	77.7	.05	60.2	
276.0	7.5	277.1	70.5	462	70.8	64.1	-3.9	276.0			.05	60.2	
277.0	7.5	277.2	70.6	462	70.8	64.1	-3.9	277.0	7.52	78.4	.05	60.2	
278.0	7.5	277.3	70.6	462	70.8	64.1	-3.9	278.0	7.54	78.8	.05	60.2	
279.0	7.6	277.4	70.6	462	70.8	64.1	-3.9	279.0			.05	60.2	
280.0	7.6	277.5	70.6	462	70.8	64.Ũ	-3.9	280.0	7.59	79.5	.05	60.2	
281.0	7.6	277.6			70.8	64.0	-3.9	281.0			.05	60.2	
282.0	7.6	277.8	70.6	462	70.8	64.0	-3.9	282.0			.05	60.2	
283.0	7.6	277.9			70.8	64.0	-3.9	283.0			.05	60.2	
284.0	7.7	278.0			70.8	64.0	-3.9	284.0			.05	60.2	
285.0	7.7	278.1			70.8	64.0	-3.8	285.0			.05	60.1	
286.0	7.7	278.2			70.8	64.0	-3.8	286.0			.05	60.1	
287.0	7.7	278.3			70.8	64.0	-3.8	287.0			.05	60.1	
288.0	7.8	278.4			70.8	64.0	-3.8	288.0			.05	60.1	
289.0	7.8	278.5			70.8	64.0	-3.8	289.0			.05	60.1	
290.0	7.8	278.6			70.8	64.0	-3.8	290.0			.05	60.2	
291.0	7.8	278.7			70.8	64.0	-3.8	291.0			.05	60.2	
292.0	7.8	278.9			70.8	64.0	-3.9	292.0			.05	60.2	
293.0	7.8	279.0			70.8	64.0	-3.9	293.0			.05	60.2	
294.0	7.9	279.1			70.8	64.0	-3.8	294.0			.05	60.1	
295.0	7.9	279.2			70.8	64.0	-3.8	295.0			.05	60.1	
296.0	7.9	279.3			70.8	64.0	-3.8	296.0			.05	60.1	
297.0	7.9	279.4			70.8	64.0	-3.9	297.0			.05	60.1	
298.0	7.9	279.5			70.8	64.0	-3.9	298.0			.05	60.2	
299.0	7.9	279.6			70.8	64.0	-3.9	299.0			.05	60.2	
300.0	8.0	279.8			70.8	64.1	-3.9	300.0			.05	60.2	
301.0	8.0	279.9			70.8	64.1	-3.9	301.0			.05	60.2 60.2	
302.0	8.0	280.0			70.8	64.1	-3.9	302.0			.05	60.2	
303.0	8.0	280.1			70.8	$64.1 \\ 64.1$	-3.9 -3.9	303.0			.05 .05	60.2	
304.0	8.0 8.0	280.2			70.8	64.1	-3.9 -3.9	304.0			.05	60.2	
305.0	8.0 8.1	280.3			70.8	64.1	-3.9 -3.9	305.0			.05	60.2	
307.0	8.1	280.5			70.8	64.1	-3.9	307.0			.05	60.2	
557.0	٠.1	200.5	, U . I	-IJ	, , ,	0.1.1	9.9	557.0	0.07	00.7		50.2	

Sit	erence ce 0-26-23 0-43-11	C, La Lor	WJAC /R : atitu ngitu	Chani 341 m de: de:	nel 6 AAT 40-22- 78-58-	 -17 -58	Proposed Ch. 201 C/R 70 m AAT Latitude: 40-26-23 Longitude: 79-43-11					
Bear. (deg)	Dist (km)	-	(km)	(m)	(kW)	F.S. (dBu)	U/D (dB)	Bear.	(km)	( m )	(kW)	F.S.
308.0	8.1	280.6 280.7	70.1	459	70.8		-3.9 -3.9	308.0	8.08	90.1		60.3
310.0	8.1	280.8	69.9	459	70.8	64.2	-3.9	310.0	8.10	90.8	.05	60.3
311.0	8.1	280.9			70.8	64.2	-3.9	311.0			.05	60.3
312.0	8.1	281.1			70.8	64.2	-3.9	312.0			.05	60.3
313.0	8.1	281.2			70.8	64.2	-3.9	313.0			.05	60.3
314.0	8.1	281.3			70.8	64.3	-3.9	314.0			.05	60.3
315.0 316.0	8.2	281.4			70.8	64.3	-3.9	315.0			.05	60.4
317.0	8.1 8.1	281.4 281.5			70.8	$64.3 \\ 64.4$	-3.9 -3.9	316.0			.05	60.4
317.0	8.0	281.6			70.8	64.4	-3.9 -4.0	317.0 318.0			.05	60.5
319.0	8.0	281.7			70.8	64.5	-4.0	319.0			.05	60.5
320.0	8.0	281.7			70.8	64.5	-4.0	320.0			.05	60.5
321.0	7.9	281.8			70.8	64.6	-4.0	321.0			.05	60.6
322.0	7.9	281.9			70.8	64.6	-4.0	322.0			.05	60.6
323.0	7.9	281.9			70.8	64.7	-4.0	323.0			.05	60.6
324.0	7.8	282.0			70.8	64.7	-4.0	324.0			.05	60.7
325.0	7.8	282.1			70.8	64.7	-4.0	325.0			.05	60.7
326.0	7.8	282.1	68.3	456	70.8	64.8	-4.0	326.0	7.75	87.9	.05	60.7
327.0	7.7	282.2		456	70.8	64.8	-4.1	327.0			.05	60.7
328.0	7.7	282.2			70.8	64.9	-4.1	328.0			.05	60.8
329.0	7.6	282.3			70.8	64.9	-4.1	329.0			.05	60.8
330.0	7.6	282.4			70.8	65.0	-4.1	330.0			.05	60.9
331.0	7.6	282.4			70.8	65.0	-4.1	331.0			.05	60.9
332.0	7.5	282.5			70.8	65.1	-4.1	332.0			.05	60.9
333.0	7.5	282.5			70.8	65.1	-4.1	333.0			.05	61.0
334.0 335.0	7.5 $7.4$	282.5 282.6			70.8	65.2	-4.1 -4.1	334.0 335.0			.05	61.0 $61.1$
336.0	7.4	282.6			70.8	65.2 65.3	-4.2	336.0			.05	61.1
337.0	7.4	282.7			70.8	65.3	-4.2	337.0			.05	61.1
338.0	7.3	282.7			70.8	65.4	-4.2	338.0			.05	61.2
339.0	7.3	282.7			70.8	65.4	-4.2	339.0			.05	61.2
340.0	7.2	282.8			70.8	65.5	-4.2	340.0			.05	61.2
341.0	7.2	282.8			70.8	65.5	-4.2	341.0			.05	61.3
342.0	7.2	282.8	66.3		70.8	65.6	-4.2	342.0			.05	61.3
343.0	7.1	282.9	66.2	456	70.8	65.6	-4.2	343.0	7.14	80.5	.05	61.4
344.0	7.1	282.9	66.1	456	70.8	65.7	-4.3	344.0	7.10	80.0	.05	61.4
345.0	7.1	282.9			70.8	65.7	-4.3	345.0			.05	61.5
346.0	7.0	282.9			70.8	65.8	-4.3	346.0			.05	61.5
347.0	4.9	281.3			70.8	66.2	1.6*	347.0			.05	67.8
348.0	4.9	281.3			70.8	66.3	1.6*	348.0			.05	67.9
349.0	4.9	281.3			70.8	66.3	1.6*	349.0			.05	67.9
350.0	4.8	281.3			70.8	66.3	1.6*	350.0			.05	67.9
351.0	4.8	281.3	04.5	45/	70.8	66.4	1.6*	351.0	4.81	//.0	.05	68.0

# Evans & Associates Consulting Engineers Thiensville, Wisconsin

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Title: HE'S ALIVE, INC. - MURRYSVILLE PA

## Educational FM/TV Channel 6 Interference area

		WJA C/R Latit Longit		-17		Lá	Propos /R atitud igitud	70 m de: 4		-23
Bear.	Dist (km)	Bear. Dis			U/D (dB)	Bear.			ERP	F.S.
352.0 353.0 354.0 355.0	4.8 4.8 4.7 4.7	281.3 64. 281.3 64. 281.3 64. 281.3 64.	3 457 70.8 2 457 70.8	66.4 66.5	1.6* 1.6* 1.6*	352.0 353.0 354.0 355.0	4.78 4.75	76.1 75.7	.05 .05 .05	68.0 68.0 68.0 68.1
356.0 357.0 358.0	4.7 4.7 4.7	281.3 64. 281.3 64. 281.3 63.	457 70.8 0 457 70.8	66.5	1.6* 1.6* 1.6*	356.0 357.0 358.0	4.71 4.68	74.8 74.4	.05	68.1 68.1 68.2
359.0	4.6	281.3 63.	8 457 70.8	66.6	1.6*	359.0	4.64	73.5	.05	68.2

Total interference area: 115.514 sq km (44.6003 sq mı)

Consulting Engineers

Engineering Statement - Page 3

this case is inappropriate, since within the borough of Murrysville there are both urban and rural areas. As is evident from the topographic map, the population of Murrysville, rather than being evenly distributed throughout, is concentrated in specific areas. Therefore, a house-count would give a much more reasonable determination of population within the interference area than using the assumption of uniform population distribution.

It has been determined that there are 1,490 Murrysville dwellings within this area. According to 1990 U.S. Census figures, in the borough of Murrysville there are 17,240 persons and 6,217 occupied dwellings, making the average number of persons per occupied dwelling 2.773. The total number of dwellings (occupied and vacant) is 6,403, making the occupancy rate 97.10%. The total population, and the number of persons predicted to receive Channel 6 interference, therefore, is 4,012 (1,490 X 0.9710 X 2.773). This is in excess of both the 3,000-person maximum without the installation of filters and the 4,000-person maximum with filters. Therefore, the proposed NCE-FM facility at Murrysville would cause interference to Channel 6 to a population in excess of FCC rules.

#### TRANSMITTER SITE AVAILABILITY

The applicant proposes to locate its antenna on the transmitter tower of station WPTT-TV in Pittsburgh, Pennsylvania.

WPTT-TV is owned by Sinclair Broadcast Group. This affiant on March 28, 1991 spoke with Mr. David Smith, President of Sinclair Broadcast Group. According to Mr. Smith, no one had contacted him concerning the use of the WPTT-TV tower as the site of a new FM station, and he had not made an agreement with anyone to make space available for an FM broadcast antenna nor gave permission to any person to specify the WPTT-TV tower as the site of a new FM station in an FCC application. Furthermore, Mr. Smith said that he is the only person associated with WPTT-TV who is authorized to make such an agreement or to give such permission.

Based upon this information, it would appear that He's Alive, Inc. does not have reasonable assurance of availability of its proposed transmitter site.













